



PROCEEDINGS

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1 (In open court.)

2 (Defendants present in open court.)

3 COURTROOM DEPUTY: All rise, the United States  
4 District Court for the Eastern District of New York is now  
5 in session, the Honorable Lois Bloom is now presiding.

6 (Honorable Lois Bloom takes the bench.)

7 COURTROOM DEPUTY: Calling Criminal Cause for  
8 arraignment, 15-MJ-172, *United States versus Abdurasul*  
9 *Juraboev and Akhror Saidakhmetov.*

10 Counsel, your name for the record.

11 MR. PRAVDA: Good afternoon, your Honor, Doug  
12 Pravda and Alex Solomon for the United States.

13 MS. HOYES: For Mr. Juraboev, Federal Defenders by  
14 Lisa Hoyes. Good afternoon, your Honor.

15 MR. PERLMUTTER: For Mr. Saidakhmetov, Adam  
16 Perlmutter, your Honor.

17 COURTROOM DEPUTY: Present is Uzbek interpreter,  
18 Sanja Babadjanov.

19 (Interpreter was sworn in.)

20 THE COURT: Mr. Juraboev, please move forward a  
21 bit, sir.

22 It's important that both you and Mr. Saidakhmetov  
23 understand these proceedings. If for any reason you don't  
24 understand something that's been said, please put up your  
25 hand and we'll have whatever you didn't understand repeated

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1 for you.

2 Also, these proceedings are being recorded. So if  
3 I ask you a question, it is important that you use your  
4 voice, yes or no to answer the question, so that the record  
5 will reflect your answer.

6 Did you both understand that instruction?  
7 Mr. Juraboev?

8 DEFENDANT JURABOEV: Yes.

9 THE COURT: With your voice "yes" or "no".

10 DEFENDANT JURABOEV: Yes.

11 THE COURT: And Mr. Saidakhmetov?

12 DEFENDANT SAIDAKHMETOV: Yes.

13 THE COURT: Thank you.

14 The purpose of today's proceeding is to make sure  
15 that you understand the nature of the charges being made  
16 against you by the United States of America and to make sure  
17 that you understand that you have certain Constitutional  
18 rights.

19 First, you have the right to be represented by an  
20 attorney at today's proceeding and at all future proceedings  
21 before the Court. And if you do not have the money to  
22 afford an attorney, the Court will appoint an attorney to  
23 represent you.

24 Towards that end, you filled out financial  
25 affidavits when you met with pretrial services.

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1 Mr. Saidakhmetov, you stated that you were employed in  
2 January 2015 and that you earned approximately \$1,500 a  
3 month. And, Mr. Juraboev, you said that you were employed  
4 at Gyro King and earned approximately \$2,000 a month. Based  
5 on these financial affidavits, the Court finds that you  
6 would be unable to afford counsel, and the Court appoints  
7 counsel to represent you.

8 The Federal Defenders who is representing you,  
9 Mr. Juraboev, are some of the best attorneys that appear  
10 before the Court. Ms. Hoyes is being appointed to represent  
11 you in today's proceeding and in all future proceedings  
12 before this Court.

13 Mr. Perlmutter is a member of the Court's Criminal  
14 Justice Act panel. And in order to be a member of the  
15 panel, you have to have substantial federal criminal trial  
16 experience. Generally, his clients pay him for his work,  
17 but several days a year he's agreed to take cases on  
18 assignment from the Court.

19 You have the right to remain silent. If you  
20 started to make a statement, you may stop. Any statement  
21 that you make to anyone other than your attorney can be used  
22 against you.

23 Do you understand that you have the right to  
24 counsel and the right to remain silent, Mr. Juraboev?

25 DEFENDANT JURABOEV: Yes.

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1 THE COURT: And, Mr. Saidakhmetov?

2 DEFENDANT SAIDAKHMETOV: Yes.

3 THE COURT: Mr. Juraboev, have you had the  
4 opportunity to review the complaint and affidavit in support  
5 of the arrest warrant that was filed against you in this  
6 matter with your attorney?

7 DEFENDANT JURABOEV: Yes.

8 THE COURT: Do you understand the charges that are  
9 being made against you?

10 DEFENDANT JURABOEV: Yes.

11 THE COURT: And, Ms. Hoyes, have you had the  
12 opportunity to review the complaint that's been filed  
13 against your client with him?

14 MS. HOYES: Yes, I have, your Honor.

15 THE COURT: Have you advised him of his  
16 constitutional rights?

17 MS. HOYES: I have.

18 THE COURT: And do you believe he understands the  
19 charges?

20 MS. HOYES: Yes, I do.

21 THE COURT: And, Mr. Juraboev, have you had the  
22 opportunity to review the complaint and affidavit with your  
23 attorney?

24 MR. PERLMUTTER: Judge, I think you meant to say  
25 Mr. Saidakhmetov.

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1 THE COURT: I'm sorry. Mr. Saidakhmetov, have you  
2 had the opportunity to review the complaint with your  
3 attorney?

4 DEFENDANT SAIDAKHMETOV: Yes.

5 THE COURT: Do you understand the charges being  
6 made against you?

7 DEFENDANT SAIDAKHMETOV: Yes.

8 THE COURT: And, Mr. Perlmutter, have you had  
9 opportunity to review the complaint and affidavit with your  
10 client?

11 MR. PERLMUTTER: Yes, your Honor.

12 THE COURT: And do you believe he understands the  
13 charges?

14 MR. PERLMUTTER: Yes, your Honor.

15 THE COURT: And have you advised him of his  
16 Constitutional rights?

17 MR. PERLMUTTER: I have.

18 THE COURT: What's the government's position on  
19 retain or bail?

20 MR. PRAVDA: Your Honor, the government seeks  
21 detention with respect to both defendants.

22 It is not my understanding that a bail application  
23 is being made today for either defendant. However, just to  
24 briefly put on the record the basis for the government's  
25 request.

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1           The government believes that both defendants are a  
2 significant danger to the community and present a  
3 substantial risk of flight. With respect to danger to the  
4 community, the defendants have made some truly outrageous  
5 threats.

6           Mr. Saidakhmetov, for example, has indicated the  
7 desire to purchase a machine gun to kill as many police  
8 officers and FBI agents as he can.

9           Mr. Juraboev has indicated that if asked to do so  
10 by ISIS, he would kill President Obama or plant a bomb on  
11 Coney Island.

12           And the leadership of ISIS has very recently  
13 encouraged its supporters to carry out lone wolf attacks in  
14 their home countries. So these defendants both represent a  
15 significant threat to the safety of the community.

16           In addition, they pose a substantial risk of  
17 flight. In fact, flight is the premise of the offense with  
18 which they are charged. They both want to travel, leave the  
19 United States to go to Syria to join ISIS and become martyrs  
20 for ISIS. And, in fact, your Honor, this is not in the  
21 detention memo that we filed earlier today, but both of  
22 these defendants made post arrest statements after they were  
23 taken into custody. Both of them confessed that the purpose  
24 of their travel was to go to Syria to join ISIS and to wage  
25 Jihad on behalf ISIS.

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1           And the Defendant Juraboev also said that he did  
2 not intend to come back from that.

3           For these reasons, your Honor, the government  
4 requests that the defendants be retained both as a  
5 substantial risk to the community and a significant risk of  
6 flight.

7           THE COURT: Mr. Juraboev and Mr. Saidakhmetov,  
8 your attorneys have just met you today. They may not today  
9 be prepared to present any package for the Court to  
10 consider, and it may be that they don't have people who will  
11 come forward, I don't know.

12           In order to make an application, they would have  
13 to contest the government's reasons for why you should be  
14 detained.

15           Ms. Hoyes, is there any application today?

16           MS. HOYES: Not at this time, your Honor.

17           THE COURT: And, Mr. Perlmutter, is there any  
18 application today?

19           MR. PERLMUTTER: No, Judge. I'll consent to a  
20 temporary order of detention with leave to renew to seek  
21 bail on behalf of my client.

22           THE COURT: Well, I am going to enter an order of  
23 detention pending trial, but grant you leave to come back  
24 and present a bail package, a temporary order on a date  
25 certain, unless you know there is a date certain that you



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1 want to come back?

2 MR. PERLMUTTER: No, that's fine for now, Judge.

3 THE COURT: What about a preliminary hearing?

4 MS. HOYES: We would like a hearing schedule.

5 THE COURT: The hearing will be scheduled?

6 COURTROOM DEPUTY: March 11th at 11:00.

7 THE COURT: Your attorneys will advise you what  
8 that preliminary hearing request entails. And if the  
9 government goes to the grand jury to get an indictment  
10 before that date, there will not be a hearing. Otherwise,  
11 you'll be brought back to the Court on that date for a  
12 hearing.

13 And I have ordered that you be detained pending  
14 trial, but granted you leave to come back to present an  
15 application to the Court at any point where there is a basis  
16 to do so.

17 Was there anything else that needed to be  
18 addressed on behalf of the United States with respect to  
19 Mr. Juraboev and Mr. Saidakhmetov?

20 MR. PRAVDA: No, your Honor.

21 THE COURT: Is there anything further on behalf of  
22 Mr. Juraboev?

23 MS. HOYES: No, your Honor.

24 THE COURT: Is there anything further,  
25 Mr. Perlmutter?

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1 MR. PERLMUTTER: No, your Honor.

2 THE COURT: Then this matter is adjourned. Thank  
3 you.

4 MR. PRAVDA: Thank you, your Honor.

5 COURTROOM DEPUTY: Thank you.

6 (Proceedings were adjourned at 5:20 p.m.)

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